IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No.280 of 2006
Date of Decision:- 13.11.2006

Rajinder Kumar ....Petitioner

through
Mr.Narender Hooda, Advocate

vs.

Sh.Raj Kumar, IAS & anr. ....Respondents

through
Mr.R.D.Sharma, DAG, Haryana

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner filed C.W.P.No.4147 of 2005 which was disposed of by this Court on 15.3.2005 with a direction to the respondents to take a decision on the representation made by him, by passing a speaking order.

Alleging non-compliance of the above-stated order, this contempt petition has been filed.

In response to the show cause notice, a short reply by way of affidavit has been filed by Mr.Raj Kumar, IAS, Financial Commissioner and Principal Secretary to Government of Haryana, Development and Panchayats Department which is taken on record. In para 3 of the affidavit it is averred by him that firstly a tentative seniority list was issued and after inviting objections against the same and upon due consideration thereof, a final seniority list dated 20.9.2006 (Annexure R-2) has been issued. It is also averred that as per the revised seniority list, persons junior to the petitioner are liable to be reverted and that the petitioner is also liable to be

reverted as SDO. But, however, he has been adjusted as XEN on ad hoc basis against one deputation vacancy which has become available in the Department.

After hearing learned counsel for the parties and having regard to the fact that the directions issued by this Court have been substantially complied with, the petition is disposed of with a direction to the respondent-authorities that as per the final seniority list (Annexure R-2), if any person junior to the petitioner continues to hold a promotional post, the case of the petitioner shall also be considered from the date when such juniors were promoted and in no way, his status in service shall remain inferior to that of his juniors subject to, however, the suitability and/or fulfilment of other eligible conditions, if any.

Rule discharged.

November 13, 2006 **(SURYA KANT)**
poonam **JUDGE**